

His Worship the Mayor  
Councillors  
CITY OF MARION

## NOTICE OF URBAN PLANNING COMMITTEE MEETING

Committee Rooms, Council Administration Centre  
245 Sturt Road, Sturt

Tuesday, 04 December 2018 06:30 PM

The CEO hereby gives Notice pursuant to the provisions under Section 83 of the Local Government Act 1999 that a Urban Planning Committee meeting will be held.

A copy of the Agenda for this meeting is attached in accordance with Section 83 of the Act.

Meetings of the Council are open to the public and interested members of this community are welcome to attend. Access to the Committee Rooms is via the main entrance to the Administration Centre on Sturt Road, Sturt.



Adrian Skull  
Chief Executive Officer



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**OPEN MEETING****KAURNA ACKNOWLEDGEMENT**

We acknowledge the Kaurna people, the traditional custodians of this land and pay our respects to their elders past and present.

**ELECTED MEMBERS DECLARATION (if any)****CONFIRMATION OF MINUTES**
**Confirmation of the minutes for the Urban Planning Committee Meeting held on 03 March 2018**

**Originating Officer** Governance Officer - Victoria Moritz

**Corporate Manager** Manager Corporate Governance - Kate McKenzie

**Report Reference:** UPC181204

**RECOMMENDATION:**

That the minutes of the Urban Planning Committee Meeting held on 3 March 2018 be taken as read and confirmed.

**ATTACHMENTS:**

#	Attachment	Type
1	UPC060318 - Minutes	PDF File

**MINUTES OF THE URBAN PLANNING COMMITTEE  
HELD AT ADMINISTRATION CENTRE  
245 STURT ROAD, STURT  
ON TUESDAY 6 MARCH 2018**



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**PRESENT**

**Committee Members**

Councillor Raelene Telfer (Chair)  
Councillor Nick Westwood  
Councillor Jason Veliskou

Apologies: Councillor Nick Kerry

**In Attendance**

Mr Adrian Skull	Chief Executive
Mr Jason Cattonar	Manager Development & Regulatory Services
Mr David Melhuish	Senior Policy Planner

**1. OPEN MEETING**

The meeting commenced at 6:37pm.

**2. KAURNA ACKNOWLEDGEMENT**

*We begin by acknowledging the Kaurna people, the traditional custodians of this land and pay our respects to their elders past and present.*

**3. MEMBERS DECLARATION OF INTEREST**

The Chairman asked if any Member wished to disclose an interest in relation to any item being considered at the meeting.

No declarations made.

**4. CONFIRMATION OF MINUTES**

**Moved by Councillor Nick Westwood, seconded by Councillor Veliskou** that the minutes of the Urban Planning Committee meeting held on 20 November 2017 be confirmed as a true and correct record of proceedings.

**(Carried)**

**5. REPORTS**

**5.1 Work Plan 2017/2018**  
**Report Reference: UPC060318R5.1**

**Moved Councillor Jason Veliskou, Seconded Councillor Nick Westwood** that the Urban Planning Committee:

1. Notes the completed 2017 work program identified at Appendix 1 to the report.
2. Notes the Summary of Urban Planning Committee Discussions 2017 in Appendix 2
3. Motion: Urban Planning Committee meets on July 3 and 4<sup>th</sup> December. Other planning committee meetings will be held on an as needs basis.

**(Carried)**

**5.2 Development Plan Amendment Status Update**  
**Report Reference: UPC060318R5.2**

**Moved Councillor Jason Veliskou, Seconded Councillor Nick Westwood** that the Urban Planning Committee:

1. Notes the status of Ministerial and Council Development Plan Amendments outlined in this report.
2. Notes that the Minister's letter dated 5 February 2018 was tabled and noted, and that Council is currently awaiting the Minister's formal letter in response to the Housing Diversity DPA.
3. Recommends that the Foothills and Coastal Policy Area 16 be renamed the Foothills and Seaside Policy Area 16

**(Carried)**

**6. CONFIDENTIAL ITEMS**

Nil

**7. ANY OTHER BUSINESS**

**7.1 Bi Annual Urban Planning Committee Performance and Effectiveness Review**  
**Report Reference: UPC060318R7.1**

**Moved Councillor Nick Westwood, Seconded Councillor Jason Veliskou** that the Urban Planning Committee:

1. That the report be noted.
2. That Council considers engaging an external planning professional to assist the Committee on planning policy matters when and if the need arises.
3. Reviews the results and agrees to an improvement plan being implemented over the next two years to maximise the effectiveness of the Committee.

- 
4. The Committee recommends that complex matters be considered during an Elected Member's Forum prior General Council meetings

**(Carried)**

**8. MEETING CLOSURE**

The meeting was declared closed at 7:28pm

**9. NEXT MEETING**

The next meeting of the Urban Planning Committee is to be held on Tuesday, 3 July 2018 at 6.30 pm in Committee Rooms 1 & 2.

**CONFIRMED**

.....  
**CHAIRPERSON**

/ /

**BUSINESS ARISING****CONFIDENTIAL ITEMS****Cover Report - Marion Westfield Shopping Centre Redevelopment**

<b>Originating Officer</b>	Acting Team Leader - Planning - Alex Wright
<b>Corporate Manager</b>	Acting Manager Development and Regulatory Services - Stephen Zillante
<b>General Manager</b>	General Manager City Development - Abby Dickson
<b>Report Reference</b>	UPC181204F01

**RECOMMENDATION****That:**

- 1. Pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999*, the Urban Planning Committee orders that all persons present, with the exception of the following persons: Adrian Skull, Vincent Mifsud, Abby Dickson, Tony Lines, Kate McKenzie, Alex Wright, Stephen Zillante, Jaimie Thwaites and Greg Salmon be excluded from the meeting as the Committee receives and considers information relating to the Marion Westfield Shopping Centre Redevelopment upon the basis that it is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential on the grounds that the report contains information of a commercial nature and would on balance, be contrary to the public interest.**

## Marion Westfield Shopping Centre Redevelopment

### CONFIDENTIAL

#### Reason For Passing This Resolution:

**Local Government Act (SA) 1999 S 90 (2) 3(d) (i) and (ii)** : commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

## REPORTS FOR DISCUSSION

### Terms of Reference and Overview of Skills

<b>Originating Officer</b>	General Manager City Development - Abby Dickson
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Development - Abby Dickson
<b>Report Reference</b>	UPC181204R01

### REPORT OBJECTIVE

To note the Committee Terms of Reference and provide an opportunity for each of the members to give an overview of their skills.

### RECOMMENDATION

**That the Urban Planning Committee:**

- 1. Notes the Terms of Reference identified at Appendix 1 to the report.**
- 2. Note the overview of skills provided by each of the Committee Members.**

### DISCUSSION

The Urban Planning Committee is a formally constituted Committee of Council pursuant to Section 41 of the Local Government Act 1999 and is responsible to Council. The Committee also fulfils Council's responsibilities pursuant to Section 101A of the Development Act, 1993

The Committee's role is to report to Council and provide appropriate advice and recommendations on matters contained within the Committee's Terms of Reference (as adopted by Council at its General Meeting on 27 November 2018). A copy of the Terms of Reference is attached at Appendix 1.

The Committee comprises 4 Elected Members (one of which is appointed as the Presiding Member) and the Mayor who each bring different skills and experiences to the meetings.

Each Committee member is invited to give an overview of their own skills and experience relevant to the Committee's objectives (as defined in the Terms of Reference).

### Attachment

#	Attachment	Type
1	Urban-Planning-Committee-Terms-of-Reference-adopted-271118	PDF File

# URBAN PLANNING COMMITTEE TERMS OF REFERENCE



## 1. ESTABLISHMENT

1.1 Pursuant to section 41 of the *Local Government Act 1999* (The Act) and Section 101A of the Development Act, the Council has established an Urban Planning Committee.

## 2. OBJECTIVES

2.1 The Committee is established for the purposes of:

- Reviewing the Development Plan for the City of Marion,
- Addressing aggregated planning matters or concerns raised by the community,
- Fulfilling Council's responsibilities pursuant to section 101A of the *Development Act 1993* regarding strategic planning and development policy for the City of Marion.

## 3. MEMBERSHIP

3.1 The membership of the Committee will comprise of:

- The Mayor
- Four other elected members

3.2 The Membership, term of appointment and the presiding member will be determined by resolution of the Council.

### Elected Member Representatives

3.3 The Presiding Member will be one of the Elected Member Representatives. This member will receive the allowance prescribed in accordance with the Local Government Remuneration Tribunal determination.

3.4 The Elected Member Representatives will change during the term of Council however, Council may resolve to re-appoint an Elected Member representative for consecutive terms if this provides continuity for the Committee.

## 4. BASIS FOR OPERATION.

4.1 The Committee does not have any delegated powers of Council, and all decision of the Committee will constitute recommendations to the Council.

4.2 For the purposes of section 41(8) of the Local Government Act 1999, the Council does not impose any reporting and accountability requirements on the basis that all decisions of the Committee constitute recommendations to Council.

4.3 The Committee will meet as resolved by Council, between February and December each year.

- 4.4 A quorum for a meeting of the Committee shall be three members of the Committee.
- 4.5 In the absence of the presiding member from a meeting, the members present will determine who will preside at the meeting.
- 4.6 Each member present at a Committee meeting must, subject to the provision of the Local Government Act 1999, vote on a question arising for decision at that meeting.
- 4.7 Where the Local Government Act 1999, the Local Government (Procedures at meetings) Regulations 2000 and these Terms of Reference do not prescribe procedures to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedures.
- 4.8 Administrative support will be provided to the Committee as requested.

## **5. TERMS OF REFERENCE**

- 5.1 Within the parameters of the Local Government Act 1999, and having regard to the powers, functions and responsibilities of the Chief Executive Officer, the Committee is charged with undertaking the following:
- 5.1.1 To provide advice to the Council in relation to the extent to which the Council's strategic planning and development policies accord with the Planning Strategy;
- 5.1.2 To develop and recommend to Council a revised Development Plan for the City of Marion that takes into consideration:
- Orderly and efficient development within the area of the council;
  - High levels of integration of transport and land use planning;
  - Relevant targets set out in the Planning Strategy within the City of Marion;
  - The implementation of affordable housing policies set out in the Planning Strategy for the City of Marion.
- 5.1.3 Broad resident planning matters causing problems within the community such as multiple complaints about the one subject matter unless that matter relates to a development application which must be delegated by the Council to the Development Assessment Panel or to staff;
- 5.1.4 The consideration and recommendation to Council of any Development Plan Amendments
- 5.1.5 To provide advice to the Council in relation to strategic planning and development policy issues where the council is preparing:
- (i) A Strategic Directions Report;
  - (ii) A Development Plan Amendment proposal either by the Council or by the Minister
- 5.1.6 To conduct public meetings pursuant to Section 25 of the Development Act 1993 in relation to a Development Plan Amendment and to consider any representations made in relation to that DPA.
- 5.1.7 The on-going review and monitoring of Council's Strategic Directions report.

Review Committee's Performance

- 5.1.8 Review the Committee's Performance on a bi-annual (every two years) basis using performance indicators developed for that purpose.

Adopted by Council:	27 November 2018
Next Review:	November 2020
Previous Version:	1 November 2016 (amended 24 October 2017 - GC241017R19) 22 September 2015 (GC220915R07)
Owner:	Manager Corporate Governance Manager Development and Regulatory Services
Applicable Legislation:	Local Government Act 1999 Development Act 1993

## Development Plan Amendment Status Update

<b>Originating Officer</b>	Senior Policy Planner - David Melhuish
<b>Corporate Manager</b>	Acting Manager Development and Regulatory Services - Stephen Zillante
<b>General Manager</b>	General Manager City Development - Abby Dickson
<b>Report Reference</b>	UPC181204R02

### REPORT OBJECTIVE

To update the Committee on the status of current and proposed Ministerial and Council initiated Development Plan Amendments (DPA)

### EXECUTIVE SUMMARY

To update the Committee on the status of the Southern Innovation Area Ministerial DPA and the Morphettville Racecourse Ministerial DPA

### RECOMMENDATION

That the Urban Planning Committee:

1. Notes the status of Ministerial and Council Development Plan Amendments outlined in this report.

### DISCUSSION

#### Ministerial-Initiated Development Plan Amendments:

Development Plan Amendment (DPA)	Purpose	Status
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Southern Innovation Area  
Ministerial DPA

DPA affects Cities of Marion,  
Mitcham & Onkaparinga.

DPA supports the delivery of zoning improvements to enable integrated land use and transport outcomes from the \$620 million government investment in the Darlington Upgrade Project.

**Part 1** – comprising the Tonsley site, Laffers Triangle and the Darlington area

Involved rezoning the Tonsley site and part of Laffers Triangle to:

Regional Activity Zone - a zone that has a focus of land uses that are state wide, national and international attractors supported by a mix of compatible land uses including shops, entertainment, medium and high density residential.

Change the zoning of Lot 707 to Suburban Activity Node Zone - a zone to be developed predominantly for medium to high density housing and accommodation with integrated mixed use activities at an appropriate scale

**Part 1** – was approved by the Minister and was consolidated into the City of Marion’s Development Plan on 20 February 2018.

**Part 2** – comprising Alawoona Avenue and Mitchell Park and Clovelly Park.

Involved land along Alawoona Avenue, land south of Tonsley (north of Sturt Rd) and the broader Mitchell Park area.

The land was to be rezoned to SANZ - a zone to be developed predominantly for medium to high density housing and accommodation with integrated mixed use activities at an appropriate scale

**Part 2** – was approved by the Minister and was consolidated into the City of Marion’s Development Plan on 22 November 2018.

The Minister resolved to rezone the Alawoona Ave land including land adjacent, to Suburban Activity Node Zone (SANZ) – non-designated area. (allowing up to 4 storeys in scale).

The land north of Sturt Road and the broader Mitchell Park area are to remain in current zones/policy areas.

It was considered that public re-consultation was not warranted given that this was the same zone as consulted with, albeit with a lower density and built form.

Morphettville Racecourse  
Ministerial DPA

The South Australian Jockey Club seeks to redevelop surplus land on the northern part of the racecourse for a mixed use development including residential, retail and commercial land uses. Development will involve land located in both the City of Marion and the City of West Torrens.

The DPA was initiated by the Minister.

Consultation was held 5 September to 4 November 2017 with a public meeting on 15 November 2017.

DPTI has since been reviewing issues that have arisen out of submissions as well the completed traffic investigations – and considering potential amendments.

Hand in hand with traffic impacts, DPTI is considering any necessary infrastructure agreements that will be necessary with finalisation of the DPA.

Anticipated that the DPA may be finalised mid-2019.

**Council-Initiated Development Plan Amendments:**

<b>Development Plan Amendment (DPA)</b>	<b>Purpose</b>	<b>Status</b>
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Seacliff Park Residential & Activity Centre DPA  
(Cities of Marion & Holdfast Bay)

The DPA proposes to create a Suburban Neighbourhood zone to facilitate the appropriate development of an approximately 8.34 hectare site informally referred to as “Cement Hill” including a neighbourhood activity centre and medium density residential development.

Approved by Minister for public consultation August 2015.

There are ongoing negotiations regarding the Cement Hill development and some of the details are still being finalised.

Public Consultation will commence once these negotiations are finalised.

## Housing Diversity DPA

The proposed DPA reviews the residential densities envisaged in the existing Policy Areas of the Residential Zone to assess opportunities for increased housing diversity/density, and to identify areas that warrant preservation, including Character areas.

The SOI received agreement from the Minister on 4 August 2017.

Public/agency consultation commenced on 19 September 2017 and closed on 14 November 2017. A Public Hearing was held on 20 November 2017.

The DPA was forwarded to DPTI / the Minister for consideration / approval on 27 December 2017.

The DPA is currently being considered by DPTI

## Tonsley Redevelopment Precinct Update

<b>Originating Officer</b>	Acting Team Leader - Planning - Alex Wright
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Development - Abby Dickson
<b>Report Reference</b>	UPC181204R03

### REPORT OBJECTIVE

To provide the Urban Planning Committee with a progress report on development that has occurred, or been approved, within the Tonsley Redevelopment Precinct during the previous 12 months.

### EXECUTIVE SUMMARY

This report provides a brief outline on both commercial and residential development that has occurred, is under construction, or has been approved within the Tonsley Residential Development Precinct during the previous 12 months (November 2017).

### RECOMMENDATION

That the Urban Planning Committee:

1. Notes the report advising the form and type of development that has occurred, or been approved, within the Tonsley Redevelopment Precinct during the previous 12 months.

### DISCUSSION

The Tonsley Development Precinct is located within the recently prescribed Regional Activity Zone. The Zone permits a wide range of development, including both small scale and multi-storey residential development, varying forms of commercial/retail, a range of services servicing the local community and small scale industry.

As Members would be aware, the Tonsley site currently has three distinct areas, the Main Assembly Building (MAB) located to the centre of the site, the residential precinct which is located to the north west of the site and the balance of the site which is proposed to incorporate a range of commercial, industrial and other similar activities.

Over the previous 12 months (since 1st November 2017) 84 applications have been lodged with the City of Marion, either for a merit assessment (where Council undertakes the assessment and issues the Development Plan Consent) or applications requiring Council to provide formal comments to the State Commission Assessment Panel. A brief summary of the types of applications is outlined below;

#### Schedule 10 Comment to SCAP

##### Residential

- 20 applications proposing two storey detached dwellings – *these dwellings incorporate a mixture of two and three bedrooms,*
- 50 applications proposing three storey detached dwellings – *these dwellings incorporate a mixture of two and three bedrooms,*
- 3 applications proposing four storey residential flat buildings (apartment buildings), each comprising

15 dwellings and associated car parking – *these dwellings incorporate a mixture of 1 to 3 bedrooms,*

- 2 applications proposing minor land divisions (i.e. an increase in 1 additional allotment).

### Commercial

- Application proposing a change in the use of land to provide an at grade carpark comprising 191 spaces and a multi-storey carpark (7 levels) comprising 807 spaces and achieving a total height of 22.1 metres above existing ground level – *Comment provided to SCAP, no consent issued,*
- Application proposing a Temporary office building (sales centre) for a period of 24 months incorporating associated carpark, landscaping and deck – *this sales centre has been in use since early 2018.*

In relation to the above, some applications have received full Development Approval, some applications have received Development Plan Consent by the State Commission Assessment Panel, whilst a number have only had comment from Council (with no decision being made).

It is worthy to note that for all applications proposing residential development Council is not considered to be the relevant authority as these developments are considered to be a joint venture between Peet (company undertaking development) and Renewal SA. Pursuant to Schedule 10 1(b) of the Development Regulations 2008 the State Commission Assessment Panel is the relevant authority and therefore is only able to provide comment on the proposal, rather than provide a planning consent.

This is similar to non-residential development where Renewal SA may have partnered with a private entity.

### **Section 49 Comment to SCAP**

There have been a number of further applications where, pursuant to Section 49 of the Development Act, the State Commission Assessment Panel is the relevant authority as the development is proposed to be undertaken by, or on behalf of, the Crown (state government). In this instance, as with Schedule 10 applications, Council can only provide comment.

- 3 applications for development located within the MAB;
  - o 1 proposing the construction for a POD (building under the MAB) comprising office and showroom (use not determined at time of comment),
  - o 1 proposing alterations and additions to the existing Micro-X tenancy,
  - o 1 proposing alterations to two existing shops (cafes).
- Application seeking a change of use to part motor repair station for the servicing and repair of vehicles, and part service industry for the servicing and repair of sustainable energy products (existing building located to the southwest of the MAB).

### **Merit Assessed**

During the previous 12 months Council has assessed three applications, two of which have received Development Plan Consent. The applications are as follows;

- Three-storey Mixed-Use Building Comprising Office and Consulting Rooms (Autism SA) with Rooftop Terrace and Undercroft Car Parking – *this application is located to the northern side of MAB Circuit (north of MAB building) and is still under assessment by Council,*
- Prefabricated office modules (mixed use buildings) being constructed within an existing building within the Main Assembly Building,
- Change of use to electric vehicle charging station and associated freestanding canopy - *this structure is proposed to be located adjacent the current Mitsubishi building at the intersection of South Road and Tonsley boulevard.*

The broad scale residential land division (located to the north-western corner of the allotment) was approved by the State Commission Assessment Panel on the 17th of November 2017.

Peet (applicant) has had ongoing discussions with Council in relation to undertaking further changes as the project evolves and receive feedback/a greater understanding as to what proposed products (i.e. housing forms) are popular. The proposed changes are considered by Council staff, namely Planning Assessment in addition to City Activation, Open Space and Engineering staff, prior to providing comment back to the State Commission Assessment Panel.

**REPORTS FOR NOTING**

**WORKSHOP / PRESENTATION ITEMS**

**OTHER BUSINESS**

**MEETING CLOSURE**